

REMARKS

Entry of this amendment, drawings and response is respectfully requested. No new issues have been introduced and therefore no new search is needed. Independent claims 1 and 11 are currently amended. Dependent claims 7, 13 and 20 are cancelled.

Amendment to the Drawings

The drawings which were submitted to the U. S. Patent Office on January 18, 2005 were objected to by the Examiner. Sheet 4 had the " /4" shown and should have been "4/4". Therefore, sheet 4 has been corrected to show 4/4. A new set of figures is included with this amendment. Entry of the amended drawing sheet is respectfully requested.

Claim Rejections Under 35 U.S.C. § 102

Claims 1, 3-7, 9 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,711,872 to Lampke. As discussed with the Examiner in a telephone interview on June 28, 2005, claim 1 has been amended to comprise, among other things, "a rod extending between the base and the clamp to support the medical element above the bed; wherein the rod connection with the base pivots along multiple axes." A base pivoting along multiple axes is not disclosed in the prior art. The baby bottle holder of the Lampke reference only allows the rod 44 to move in and out along 32 with respect to the base unit 10. On the other hand, the hook and eye joint as shown in the figures and discussed on page 3, lines 25-29 or a ball joint discussed on page 3, lines 28-29. Thus, the prior art does not disclose "a rod extending between the base and the clamp to support the medical element above the bed; wherein the rod connection with the base pivots along multiple axis." The "pivotal" limitation of amended claim 1 came from cancelled claim 7 such that no new issues are raised and no new search is required. Therefore, entry and allowance of amended claim 1 is respectfully requested.

Claims 2-6 depend from amended claim 1 and are allowable as depending from an allowable claim. Claim 7 has been cancelled. Claims 8-10 depend from amended claim 1 and are allowable as depending from an allowable claim.

Examiner's Rejections Under 35 U.S.C. § 103(a)

Claims 11-14, 16 and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lampke in view of U.S. Patent 5,489,075 to Ible.

As discussed with the Examiner in a telephone interview on June 28, 2005, claim 11 has been amended to require among other things, "a base slidably mountable to a bed with a tab which slides within a slot" and "a rod having a first end connected to the base and a second end connected to the claim, wherein the rod is connected to the base by a hook and eye." Neither the Lampke nor the Ible references disclose a base slidably mountable to a bed with a tab which slides within a slot. Rather, the base in the Lampke reference holds to the bed with a screw-type fitting and the Ible reference is mountable to a bed with an articulated-biased clamp. Thus, neither reference discloses a base slidably mountable to a bed with a tab which slides within a slot. Furthermore, neither reference discloses a rod having a first end connected to the base and a second end connected to the clamp, wherein the rod is connected to the base by a hook and eye. The Lampke reference uses a screw to hold the rod to the base, and the Ible reference uses a captured shaft with ribs to hold the rod to the base. Therefore, amended claim 11 is not disclosed by either of the cited references. The slidable limitation of claim 11 derives from cancelled claim 13. The hook limitation of claim 11 derives from cancelled claim 20. Thus, no new issues are raised and new search is not required. Therefore, entry and allowance of amended claim 11 is respectfully requested.

Claim 12 depends from amended claim 11 and is believed to be allowable as depending from an allowable claim. Claim 13 has been cancelled. Claims 14-19 depend from amended claim 11 and are believed to be allowable as depending from an allowable claim. Claim 20 has been cancelled.

Applicant believes that all claims are now in proper form for allowance. Entry of this amendment and Notice of Allowance is respectfully requested for all pending claims.

Conclusion

The amended figure sheets have been submitted to overcome Examiner's objection. Entry of new Figures is respectfully requested.

Claims 1 and 11 have been amended, as discussed with the Examiner in the telephone interview of June 28, 2005, to overcome the prior art. Therefore, a Notice of Allowance is respectfully requested for all claims pending in this application.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



BART A. FISHER, Reg. No. 55,181
McKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No: (515) 288-3667
Fax No: (515) 288-1338
CUSTOMER NO: 22885
Attorneys of Record

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